

Effective 5/10/2016

63H-7a-203 Board established -- Terms -- Vacancies.

- (1) There is created the "Utah Communications Authority Board."
- (2) The board shall consist of the following individuals, who may not be employed by the authority or any office or division of the authority:
 - (a) the member representatives elected as follows:
 - (i) one representative elected from each county of the first and second class, who:
 - (A) is in law enforcement, fire service, or a public safety answering point; and
 - (B) has a leadership position with public safety communication experience;
 - (ii) one representative elected from each of the seven associations of government who:
 - (A) is in law enforcement, fire service, or a public safety answering point; and
 - (B) has a leadership position with public safety communication experience;
 - (iii) one representative of the Native American tribes elected by the representative of tribal governments listed in Subsection 9-9-104.5(2);
 - (iv) one representative elected by the Utah National Guard;
 - (v) one representative elected by an association that represents fire chiefs;
 - (vi) one representative elected by an association that represents sheriffs;
 - (vii) one representative elected by an association that represents chiefs of police; and
 - (viii) one member elected by the 911 Advisory Committee created in Section 63H-7a-307;
 - (b) seven state representatives appointed in accordance with Subsection (3); and
 - (c) two members of the public selected as follows:
 - (i) one member who:
 - (A) may not have financial ties to a provider of telecommunication services;
 - (B) may not have a relationship to a user of public safety telecommunications services; and
 - (C) is selected by the speaker of the House of Representatives; and
 - (ii) one member who:
 - (A) may not have financial ties to a provider of telecommunication services;
 - (B) may not have a relationship to a user of public safety telecommunications services; and
 - (C) is selected by the president of the Senate.
- (3)
 - (a)
 - (i) Six of the state representatives shall be appointed by the governor, with two of the positions having an initial term of two years, two having an initial term of three years, and two having an initial term of four years.
 - (ii) Successor state representatives shall each serve for a term of four years.
 - (iii) The six governor-appointed state representatives shall consist of:
 - (A) the executive director of the Utah Department of Transportation or the director's designee;
 - (B) the commissioner of public safety or the commissioner's designee;
 - (C) the executive director of the Department of Natural Resources or the director's designee;
 - (D) the executive director of the Department of Corrections or the director's designee;
 - (E) the chief information officer of the Department of Technology Services, or the officer's designee; and
 - (F) the executive director of the Department of Health or the director's designee.
 - (b) The seventh state representative shall be the Utah State Treasurer or the treasurer's designee.
 - (c) A vacancy on the board for a state representative shall be filled for the unexpired term by the director of the department or the director's designee as described in Subsection (3)(a)(iii).
 - (d) An employee of the authority may not be a member of the board.

- (4)
 - (a)
 - (i) One-half of the positions for member representatives selected under Subsection (2) shall have an initial term of two years and one-half of the positions shall have an initial term of four years.
 - (ii) Successor member representatives of the board shall each serve for a term of four years, so that the term of office for six of the member representatives expires every two years.
 - (b) The member representatives of the board shall be removable, with or without cause, by the entity that selected the member. A vacancy on the board for a member representative shall be filled for the unexpired term by the entity the member represents.
- (5)
 - (a) The governor shall, in accordance with Subsection (5)(b) and after consultation with the board, appoint the chair of the board with the consent of the Senate. The chair shall serve a two-year term and the appointment as chair will automatically extend the term of the board member to coincide with the appointment as chair.
 - (b) The governor shall make the initial selection of a chair from one of the members described in Subsection (2). After the initial selection of a chair, the governor shall alternate the selection of the chair between a local member described in Subsection (2)(a) and a state member described in Subsection (2)(b).
 - (c) The chair shall serve at the pleasure of the governor.
- (6) The board shall meet on an as-needed basis and as provided in the bylaws.
- (7) The board shall also elect a vice chair, secretary, and treasurer to perform those functions provided in the bylaws.
 - (a) The vice chair shall be a member of the board.
 - (b) The secretary and treasurer need not be members of the board, but shall not have voting powers if they are not members of the board.
 - (c) The offices of chair, vice chair, secretary, and treasurer shall be held by separate individuals.
- (8) Each member representative and state representative shall have one vote, including the chair, at all meetings of the board.
- (9) A constitutional majority of the members of the board constitutes a quorum. A vote of a majority of the quorum at any meeting of the board is necessary to take action on behalf of the board.
- (10) A board member may not receive compensation for the member's service on the board, but may, in accordance with administrative rules adopted by the board, receive:
 - (a) a per diem at the rate established under Section 63A-3-106; and
 - (b) travel expenses at the rate established under Section 63A-3-107.

Amended by Chapter 123, 2016 General Session